

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:18-cv-00277-TSC**

DEMOCRACY FORWARD FOUNDATION v. U.S.  
DEPARTMENT OF HEALTH & HUMAN SERVICES et al  
Assigned to: Judge Tanya S. Chutkan  
Cause: 05:552 Freedom of Information Act

Date Filed: 02/07/2018  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**DEMOCRACY FORWARD  
FOUNDATION**

represented by **Javier M. Guzman**  
DEMOCRACY FORWARD  
FOUNDATION  
P.O. Box 34553  
Washington, DC 20043  
(202) 448-9090  
Email: [jguzman@democracyforward.org](mailto:jguzman@democracyforward.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**U.S. DEPARTMENT OF HEALTH &  
HUMAN SERVICES**

represented by **Jeremy S. Simon**  
U.S. ATTORNEY'S OFFICE FOR THE  
DISTRICT OF COLUMBIA  
555 Fourth Street, NW  
Washington, DC 20530  
(202) 252-2528  
Fax: (202) 252-2599  
Email: [jeremy.simon@usdoj.gov](mailto:jeremy.simon@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**U.S. CENTERS FOR MEDICARE  
AND MEDICAID SERVICES**

represented by **Jeremy S. Simon**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
02/07/2018	<u>1</u>	COMPLAINT against ALL DEFENDANTS ( Filing fee \$ 400 receipt number 0090-5322161) filed by DEMOCRACY FORWARD FOUNDATION. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Civil Cover Sheet, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Summons, # <u>6</u> Summons)(Guzman, Javier) (Entered: 02/07/2018)
02/07/2018	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by DEMOCRACY FORWARD FOUNDATION (Guzman, Javier) (Entered: 02/07/2018)
02/07/2018		Case Assigned to Judge Tanya S. Chutkan. (zmd) (Entered: 02/09/2018)
02/09/2018	<u>3</u>	SUMMONS (4) Issued Electronically as to U.S. CENTERS FOR MEDICARE AND MEDICAID SERVICES, U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent) (zmd) (Entered: 02/09/2018)

02/26/2018	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. CENTERS FOR MEDICARE AND MEDICAID SERVICES served on 2/13/2018; U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES served on 2/13/2018, RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 02/14/2018., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 2/14/2018. ( Answer due for ALL FEDERAL DEFENDANTS by 3/16/2018.) (Attachments: # <u>1</u> Declaration)(Guzman, Javier) (Entered: 02/26/2018)
03/16/2018	<u>5</u>	ANSWER to <u>1</u> Complaint by U.S. CENTERS FOR MEDICARE AND MEDICAID SERVICES, U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES.(Simon, Jeremy) Modified to add link on 3/19/2018 (znmw). (Entered: 03/16/2018)
04/03/2018		MINUTE ORDER: Before the Court in this FOIA case are a complaint and an answer. The requirements of LCvR 16.3 and Rule 26(f) of the Federal Rules of Civil procedure appear to be inapplicable. IT IS HEREBY ORDERED that the parties shall meet and confer and propose a schedule for proceeding in this matter. The schedule shall address the status of Plaintiff's FOIA request, the anticipated number of documents responsive to Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, whether and when either party anticipates filing a dispositive motion, and any other pertinent issues. The parties shall file a joint status report that addresses these issues and that contains a proposed schedule and proposed order no later than 5/3/18. Signed by Judge Tanya S. Chutkan on 4/3/18. (DJS) (Entered: 04/03/2018)
04/03/2018		Set/Reset Deadlines: Joint Status Report due by 5/3/2018. (jl) (Entered: 04/04/2018)
05/02/2018	<u>6</u>	Joint STATUS REPORT by U.S. CENTERS FOR MEDICARE AND MEDICAID SERVICES, U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES. (Attachments: # <u>1</u> Proposed Order)(Simon, Jeremy) (Entered: 05/02/2018)
05/03/2018		MINUTE ORDER: Having considered the parties' joint status report <u>6</u> , it is hereby ordered that the parties shall file another joint report and proposed order by June 13, 2018. Signed by Judge Tanya S. Chutkan on 5/3/18. (DJS) (Entered: 05/03/2018)
06/13/2018	<u>7</u>	Joint STATUS REPORT by U.S. CENTERS FOR MEDICARE AND MEDICAID SERVICES, U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES. (Attachments: # <u>1</u> Proposed Order)(Simon, Jeremy) (Entered: 06/13/2018)
06/28/2018		MINUTE ORDER: Having considered the parties' Joint Status Report <u>8</u> , it is hereby ordered that the parties shall submit a another joint report and proposed order by July 25, 2018. Signed by Judge Tanya S. Chutkan on 6/28/18. (DJS) (Entered: 06/28/2018)
06/28/2018		Set/Reset Deadlines: Joint Status Report due by 7/25/2018. (tb) (Entered: 06/28/2018)
07/24/2018	<u>8</u>	Joint STATUS REPORT by U.S. CENTERS FOR MEDICARE AND MEDICAID SERVICES, U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES. (Attachments: # <u>1</u> Proposed Order)(Simon, Jeremy) (Entered: 07/24/2018)
07/26/2018		MINUTE ORDER: Having considered the parties' Joint Status Report <u>8</u> , it is hereby ordered that he parties shall submit another joint report by September 5, 2018 and every 60 days thereafter. To the extent the report contains a proposed production and/or briefing schedule, the parties shall also file a proposed order. Signed by Judge Tanya S. Chutkan on 7/26/18. (DJS) (Entered: 07/26/2018)
07/27/2018		Set/Reset Deadlines: Joint Status Report due by 9/5/2018. (tb) (Entered: 07/27/2018)
08/30/2018	<u>9</u>	Joint STATUS REPORT by U.S. CENTERS FOR MEDICARE AND MEDICAID SERVICES, U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES. (Simon, Jeremy) (Entered: 08/30/2018)
10/29/2018	<u>10</u>	Joint STATUS REPORT by U.S. CENTERS FOR MEDICARE AND MEDICAID SERVICES, U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES. (Simon, Jeremy) (Entered: 10/29/2018)

12/14/2018	<u>11</u>	Joint STATUS REPORT by DEMOCRACY FORWARD FOUNDATION. (Grogg, Adam) (Entered: 12/14/2018)
01/04/2019	<u>12</u>	Unopposed MOTION to Stay <i>in Light of Lapse of Appropriations</i> by U.S. CENTERS FOR MEDICARE AND MEDICAID SERVICES, U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES (Simon, Jeremy) (Entered: 01/04/2019)
01/07/2019		MIUTE ORDER: Denying <u>12</u> Motion to Stay without prejudice for failure to comply with Local Civil Rule 7(c), which requires that "[e]ach motion... shall be accompanied by a proposed order." Signed by Judge Tanya S. Chutkan on 1/7/19. (DJS) (Entered: 01/07/2019)
01/07/2019	<u>13</u>	Unopposed MOTION to Stay ( <i>Defendants' Unopposed Motion to Stay Proceedings in Light of Lapse in Appropriations</i> ) by U.S. CENTERS FOR MEDICARE AND MEDICAID SERVICES, U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES (Attachments: # <u>1</u> Text of Proposed Order)(Simon, Jeremy) (Entered: 01/07/2019)